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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

4-16-02

Attorney Docket No. 071671-0155

Applicant: Motoyasu TAGUCHI

Title: RECEIVING TERMINAL,
RECEIVER AND RECEIVING
METHOD FOR CDMA SYSTEM

Appl. No.: 09/656,170

Filing Date: 09/06/2000

Examiner: Unassigned

Art Unit: 2664

RECEIVED
APR 16 2002
Technology Center 2600

CERTIFICATE OF MAILING

Assistant Commissioner for Patents
Washington, D.C. 20231

Assistant Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. § 1.8(a) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

1. Information Disclosure Statement
2. Form PTO SB/08/B
3. Postcard

4-3-02
Date

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on a modified Form PTOSB/08B is a listing of document(s) known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of the listed document(s) is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed before the mailing date of a first action under the provisions of 37 C.F.R. § 1.97(b)(3). In the alternative, the instant Information Disclosure Statement is being filed under the provisions of 37 C.F.R. § 1.97(c)(1).

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08B were cited as being relevant during the prosecution of the corresponding Japanese application. A copy of an English language abstract of the listed documents, if available, is being provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider this document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Examiner in the corresponding Japanese patent application has commented as follows:

Claims: 1, 8, 11

Cited Literature: 1, 2, or 3

Comments:

Cited Literature 1 through 3 each describe a CDMA receiver terminal that includes a finger circuit that establishes a relationship between a received signal and a known signal and outputs the received signal after the correlation, and a [lake meeting] that uses a synthetic paper level measurement of the output of said finger circuits [NOTE – PERHAPS A TYPOGRAPHICAL ERROR FOR “that combines the outputs of said finger circuits and measures the level”], where said CDMA reception terminal is provided with a level determination circuit that determines the field level based on a threshold value established in advance and based on the received signal after

correlation from said finger circuit in said [lake] circuit, so the inventions in Claims 1 through 11 of the present application could have been invented easily by individuals in the industry from the inventions described in the respective examples of embodiment.

Claims: 2, 3

Cited Literature: 1-3

Comments:

When stopping the operation of the electronic circuit, stopping the supply of the operating clock is a common means, and thus stopping the finger circuit operation in the inventions described in Cited Literature 1-3 through the use of the aforementioned method is not seen as being particularly difficult.

Consequently, the inventions pertaining to Claims 2 and 3 of the present application could have been invented with ease by an individual in the industry based on the invention described in the cited literature.

Claims: 4-5

Cited Literature: 1-3

Comments:

While it is not clear in the descriptions in the current Claims 4 and 5 what type of operations are meant, it is clear that, in the inventions described in Cited Literature 1 to 3 as well, the operation of the finger for which the operation had been stopped, is restarted after a specific amount of time elapses.

Consequently, the inventions relating to Claims 4 and 5 of the present application could have been arrived at easily by an individual in the industry based on the inventions described in the cited literature.

Claims: 6 and 7

Cited Literature: 1-3

Comments:

The provision of a recording means for specific information in the electronic circuits is something that is performed commonly, and the use of EEPROMs as the recording means is extremely well known.

Consequently, the inventions pertaining to Claims 6 and 7 of the present application could have been arrived at easily by an individual in the industry based on the inventions described in the cited literature.

Claim: 9

Cited Literature: 1-3

Comments:

Averaging, through the use of a pilot symbol when measuring the level, or the like, could be obtained as appropriate when an individual in the industry is making an implementation.

Consequently, the invention pertaining to Claim 9 of the present application could have been arrived at easily by an individual in the industry based on the cited literature.

Claim: 10

Cited Literature: 1-3

Comments:

The invention in Cited Literature 1 is something that detects differences between a maximum level and levels higher than the maximum level, and thus the invention according to Claim 10 of the present application could have been arrived at with ease by an individual in the industry based on the cited literature.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication H7-231278
2. Japanese Unexamined Patent Application Publication H7-273689

3. Japanese Unexamined Patent Application Publication H10-4383

Record of Prior Art Literature Search Results

Fields Searched IPC 7th Edition H04B 1/69-1/713

H04J 13/00-13/06

Prior Art Literature Japanese Unexamined Patent Application
Publication H11-261523

Dispatch number: 038866

Japanese Unexamined Patent Application Publication H9-321667

This Record of Prior Art Literature Search Results does not
constitute a reason for rejection.

It is believed that the instant information disclosure statement is being filed prior to
the mailing date of any Notice of Allowance or Final Office Action. However, if this
information disclosure statement is filed after the mailing date of the Notice of Allowance
or Final Office Action, then applicant(s) hereby request(s) and authorize(s) the PTO to
charge the fee under 37 CFR 1.17(p) to Deposit Account No. 19-0741.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08B be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date 4-3-02

By David A. Blumenthal

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